



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 8, 2020

By ECF

The Honorable Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Michel Cohen et al.*, No. 19 Civ. 9291 (MKV)

Dear Judge Vyskocil:

This Office represents the United States, Plaintiff in this interpleader action to resolve ownership over a painting by the modernist artist Jean Dubuffet. Pursuant to the Court's Order dated June 30, 2020 [Dkt. No. 15], I write respectfully on behalf of the parties who have appeared in this action, the United States and Sotheby's Financial Services, Inc., to advise the Court about the status of the case and the proposed timing of anticipated motions.

According to the terms of the Order entered by Judge Rakoff on January 22, 2020 [Dkt. No. 11], alternate service of the claims in this action by publication in France on Defendant-in-Interpleader and fugitive from law Michel Cohen was completed on February 29, 2020 [*see* Dkt. No. 14]. Cohen's time to answer the Government's complaint as well as Defendant-in-Interpleader Sotheby's Financial Services, Inc.'s cross-claims have now passed. Consistent with the Court's Individual Practices and the Local Rules of this Court, Sotheby's intends to seek a Certificate of Default by July 17, 2020, and, within 14 days of obtaining the Certificate of Default, to file a motion for default judgment against Cohen, seeking a judgment from this Court awarding to Sotheby's title of the painting at issue, which presently remains in the custody of the Federal Bureau of Investigation. The Government will not contest Sotheby's motion and will respectfully abide by the Court's resolution of any competing claims to title of the painting.

Counsel for Sotheby's Financial Services, Inc. has reviewed this letter and joins in its submission. We thank the Court for its consideration of this matter.

Respectfully,

AUDREY STRAUSS
Acting United States Attorney

By: /s/ Stephen Cha-Kim
STEPHEN CHA-KIM
Assistant United States Attorney
(212) 637-2768
stephen.cha-kim@usdoj.gov